

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GÉRARD SILLAM and ALDRIC SAULNIER,	:	No. 21 CV 6675 (CM)
	:	
Plaintiffs,	:	<b>DECLARATION OF</b>
	:	<b>CHRISTOPHER J. KELLER</b>
-against-	:	<b>IN SUPPORT OF</b>
	:	<b>DEFENDANTS' MOTION TO</b>
LABATON SUCHAROW LLP,	:	<b><u>DISMISS THE COMPLAINT</u></b>
CHRISTOPHER J. KELLER, and	:	
LAWRENCE A. SUCHAROW,	:	
	:	
Defendants.	:	

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CHRISTOPHER J. KELLER declares as follows:

1. I am a member of Labaton Sucharow LLP ("Labaton"). I submit this Declaration in support of the motion of Defendants – Labaton, Lawrence A. Sucharow, and me – to dismiss the Complaint, for the purpose of placing before the Court true and correct copies of the documents described below.

2. Attached as Exhibit A is a copy of the Complaint in this action, filed August 6, 2021.

3. Attached as Exhibit B is a copy of an agreement between Labaton and Plaintiff Gérard Sillam, titled "Settlement and Full Waiver and Release" executed on or about December 31, 2009.

4. Attached as Exhibit C is a copy of an agreement between Labaton and individuals including Plaintiff Aldric Saulnier, titled "Global Settlement Agreement and Full Wavier and Release," executed on or about December 31, 2009.

5. Attached as Exhibit D are copies of declarations that I signed on January 21, 2011, June 9, 2011, February 14, 2012, July 16, 2013, and July 8, 2015.

6. Attached as Exhibit E is an email exchange from July 29-30, 2015 between Sillam and Labaton, including an email from Sillam cited in paragraph 100 of the Complaint.

7. Attached as Exhibit F is a copy of an agreement between Labaton, Sillam, and Saulnier, titled “Universal Settlement Agreement and Full Release and Complete Waiver of Any and All Claims or Potential Claim(s) Against Labaton or Any of Its Partners, Agents or Representatives,” executed on August 15, 2015 (the “2015 Agreement and Release”).

8. Attached as Exhibit G is a copy of an Amendment to the 2015 Agreement and Release, executed on August 23, 2016.

9. Attached as Exhibit H is an article concerning this action that was published by Reuters on or about September 20, 2021, titled “Former Labaton Consultant’s Suit Details Firm’s Big-Money Recruiting of Euro Clients,” available at <https://www.reuters.com/legal/transactional/former-labaton-consultants-suit-details-firms-big-money-recruiting-euro-clients-2021-09-17/>.

10. Attached as Exhibits I and J are documents available on ECF/PACER from the securities class action captioned *Allianz Global Investors Kapitalanlagesellschaft MBH v. Hannezo*, S.D.N.Y., No. 09 Civ. 2592. Exhibit I is a copy of the Complaint in the *Hannezo* action filed on March 20, 2009 [Doc. No. 1]. Exhibit J is a copy of the Opinion and Order dismissing that action filed on March 21, 2021 [Doc. No. 37].

11. Attached as Exhibits K, L, and M are documents available on ECF/PACER from the securities class action captioned *Karam v. Corinthian Colleges, Inc.*, C.D. Cal., No. 10-cv-06523. Exhibit K is a copy of a joint Motion of KBC Asset Managers NV (“KBC”) and Electrical Workers Pension Fund, Local 103, I.B.E.W. for Appointment as Lead Plaintiff and Approval of Selection of Counsel filed on November 1, 2010 [Doc. No. 16]. Exhibit L contains a Certification

from two Managing Directors of KBC filed on November 1, 2010 [Doc. No. 18-1]. Exhibit M is a copy an Order filed on March 30, 2011 appointing other applicants as lead plaintiffs and lead counsel [Doc. No. 54].

12. Attached as Exhibits N, O, and P are documents available on ECF/PACER from the securities class action captioned *Pennsylvania Public School Employees' Retirement System v. Bank of America Corp.*, S.D.N.Y., No. 11 Civ. 0733. Exhibit N is a copy of a motion filed on April 4, 2011 in which an institutional investor group comprising three plaintiffs, including KBC, moved for co-lead status [Doc No. 11]. Exhibit O is a copy of a declaration filed by two KBC Managing Directors on April 4, 2011 in support of that motion for co-lead status [Doc. No. 13 pp. 8-9]. Exhibit P is a copy of a Memorandum and Order filed on June 20, 2011 denying that motion and appointing other applicants as lead plaintiff and lead counsel [Doc. No. 56].

13. Attached as Exhibits Q and R are documents available on ECF/PACER from the securities class action captioned *In re Weight Watchers International Securities Litig.*, S.D.N.Y., No. 14 Civ. 1997. Exhibit Q is a copy of a Certification from two Managing Directors of KBC filed on May 20, 2014 [Doc. No. 20-1]. Exhibit R is a Joint Declaration in Support of the Motion of KBC and Oklahoma Police Pension & Retirement System for Consolidation of Related Actions, Appointment as Lead Plaintiff, and for Approval of Selection of Lead Counsel filed on May 20, 2014 [Doc. No. 20-3]. This action was ultimately dismissed.

I declare under penalty of perjury that the foregoing is true and correct. Executed in New York, this 19<sup>th</sup> day of November, 2021



CHRISTOPHER J. KELLER